



3. Venue is proper in this matter in the Florence Division of this Court in accordance with 28 U.S.C. §1441(a). Venue is improper in Darlington County as pled and filed in Plaintiff's Complaint. However, based on the allegations of the Complaint, venue would be proper in Chesterfield County which is within this Division.

4. Upon information and belief, the amount in controversy in this matter exceeds \$75,000.00 as Plaintiff alleges he has suffered physical harm to his person, loss of enjoyment of life, mental pain and anguish, incur medical bills, and a limitation of motion. Defendant's Counsel sent Plaintiff an email to Plaintiff's Counsel's requesting a stipulation to damages of \$75,000 or less on May 23, 2019 and a follow up email on May 30, 2019. Additionally, at least one phone call was placed to Plaintiff's Counsel's office regarding removability. Defendant has not heard back from Plaintiff regarding removability or the stipulation of damages. Accordingly, Defendant understands that the amount in controversy exceeds \$75,000.

5. Defendant has filed no pleadings in this action with the Court of Common Pleas for the State of South Carolina in response to this Complaint; however, Defendant's Answer to the Plaintiff's Complaint is filed herewith contemporaneously.

6. Defendant has furnished a copy of this Notice of Removal to the Clerk of Court for Darlington County.

Respectfully submitted,

**SWEENEY, WINGATE & BARROW, P.A.**

s/Marshall C. Crane

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Columbia, South Carolina  
June 4, 2019